

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

IN RE VALVE ANTITRUST LITIGATION

No. 2:21-cv-00563-JCC

**STIPULATED MOTION FOR
EXTENSION OF DEADLINE TO
TAKE CERTAIN DEPOSITIONS**

**NOTE ON MOTION CALENDAR:
NOVEMBER 30, 2023**

Plaintiffs Wolfire Games, LLC, Dark Catt Studios Holdings, Inc., and Dark Catt Studios Interactive LLC (collectively “Plaintiffs”) and Defendant Valve Corporation (“Defendant”), by and through their undersigned counsel of record, hereby stipulate and agree as follows:

1. The Court entered a Case Schedule on August 23, 2022 (Dkt. #98), which set certain case deadlines through summary judgment briefing.

2. On May 2, 2023, the Court granted the parties’ Stipulated Motion to Modify Case Schedule (Dkt. #130), which, *inter alia*, extended the close of fact discovery from October 31, 2023 to November 30, 2023.

3. The parties have been working to complete fact discovery, including written discovery and depositions of Plaintiffs, Defendant, and nonparties. The Parties commenced depositions in September 2023 and have made substantial progress to complete them by

1 November 30, 2023. The parties anticipate that at least twenty-five depositions of Plaintiffs,
2 Defendant, and nonparties will have been taken by November 30, 2023.

3 4. However, due to a small number of scheduling conflicts and limited availability of
4 some witnesses (both party and nonparty), Plaintiffs and Defendants need to take certain
5 depositions following the November 30, 2023 discovery deadline. As such, Plaintiffs and
6 Defendants jointly request that the Court extend until December 15, 2023 the deadline within
7 which to conduct the following, specified depositions:

- 8 a. Deposition of David Rosen to be conducted on December 1, 2023;
- 9 b. Deposition of Jason Owens, to be conducted on December 5, 2023;
- 10 c. Deposition of Plaintiff Dark Catt Studios Holdings, Inc., and Dark Catt Studios
11 Interactive LLC, to be conducted on December 6, 2023;
- 12 d. Deposition of Chris Schenck, to be conducted on December 8, 2023;
- 13 e. Deposition of Valve Corporation to be conducted on December 12, 2023, as to
14 30(b)(6) Topic 4 (2012-2022 U.S. federal tax returns);
- 15 f. Deposition of Sean Murray on or before December 15, 2023, or, if necessary,
16 on a date mutually agreeable to the deponent and the parties;
- 17 g. Deposition of Microsoft Corporation, pursuant to subpoena, on or before
18 December 15, 2023, or, if necessary, on a date mutually agreeable to the
19 deponent and the parties;
- 20 h. Deposition of Nathaniel Muller, pursuant to subpoena, on or before December
21 15, 2023, or, if necessary, on a date mutually agreeable to the deponent and the
22 parties.¹

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26 ¹ Defendant has objected to Mr. Muller's deposition on grounds that it exceeds the number of permitted party depositions, which Plaintiffs deny.

5. The parties agree that nonparties upon whom Plaintiffs or Defendant, prior to November 1, 2023, served subpoenas requesting production of documents or data may, if necessary, make their productions after November 30, 2023.

6. The parties request the brief, 15-day extension of time to take the above-specified depositions in order to accommodate the scheduling conflicts and availability of witnesses, and not for purposes of delay or any improper purposes.

7. The parties respectfully request that the Court enter the below Order extending the deadline to complete depositions of fact witnesses as stipulated.

IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

DATED this 30th day of November, 2023.

/s/Kara M. Mundy

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1 PURSUANT TO STIPULATION, IT IS SO ORDERED.

2 DATED this 1st day of December 2023.

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6 John C. Coughenour
7 UNITED STATES DISTRICT JUDGE
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